

MINUTES OF BOARD MEETING

September 5, 2001
City Council Chambers
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Michael Smith at 10:00 a.m. on September 5, 2001, in the City Council Chambers, City of La Quinta, California.

1. Roll Call

The following Board Members were present: Dr. Dan Baxley, Gary Johnson, Leon M. Lesicka, Michael A Smith, Brenda Soulliere and Nancy S. Wright

Absent: Mary Ann E. Martin Andreas

2. Staff Present

Adnan Al-Sarabi, Jose Angel, Suhas Chakraborty, Liann Chavez, Ron Falkowski, Kristie Garcia, Jeff Geraci, Phil Gruenberg, Chris Igbinedion, Teresa Illare, Kirk Larkin, David Martin, Robert Perdue, Logan Raub, Donna Rodriguez, Jonathan Rokke, Jennie Snyder, Hilda Vasquez, Jason Voskanian, Soni Wells, and Doug Wylie

3. Others Present

Steve Bigley, Coachella Valley Water District
Jeff Endicoh, Camp Dresser & McKee, Inc.
Andy Fisichelli, Montgomery & Watson
Alan Harrell, Coachella Valley Water District
Randy Hines, City of El Centro
John Kemp, Niland Sanitary District
Lori Okun, State Water Resources Control Board, OCC
Richard Orr, Kleinfelder
Bill Ray, State Water Resources Control Board
Tom Rheiner, Riverside County Flood Control District
Steve Stump, Riverside County Flood Control District
Janet Wager, Kleinfelder

4. Minutes of Meeting of June 27, 2001

MOTION: Dr. Baxley moved, Mr. Johnson seconded, and motion carried unanimously that the minutes be approved as submitted.

5. Public Forum

No one from the public chose to speak.

6. Uncontested Waste Discharge Requirements

NPDES Permits

- 01-077 Riverside County Flood Control District, Owner/Operator, County of Riverside, Owner/Operator, Coachella Valley Water District, Owner/Operator, and Incorporated Cities of Riverside County within the Whitewater River Basin, Owners/Operators for the Discharge of Whitewater River Watershed Storm Water - Riverside County (Updated Order)
- 01-103 ISG Energy, LLC, Owner/Operator, Mesquite Lake Resource Recovery, Discharge of Industrial Wastewater from a 15-45 Megawatt (NET) Alternative Fuel Power Plant - South of Brawley, Imperial County (New Order)

Waste Discharge Requirements

- 01-145 Change of Ownership and/or Name

93-010 Mesquite Lake Resource Recovery
Imperial - Imperial County

MOTION: Mr. Johnson moved, Ms. Wright seconded, and motioned carried unanimously that Orders No. 01-077, 01-103 and 01-145, including the errata, be adopted.

- 01-159 Rescission of Waste Discharge Requirements

89-019 Kaiser Steel Resources, Inc. – Eagle Mountain Mine
Tailings Basins No. 4, 5, and 6
Eagle Mountain, Riverside County

Note: Mr. Johnson removed himself from discussing and voting on Order No. 01-159

MOTION: Dr. Baxley moved, Mr. Lesicka seconded, and motioned carried unanimously that Order No. 01-159 be adopted.

7. Compliance with Administrative Civil Liability Order No. 00-084 Niland Sanitary District

Mr. Gruenberg explained that in April 2000 the Board adopted an Administrative Civil Liability Order (ACLO) in the amount of \$30,000 against the City of Niland. The Board suspended \$25,000 of that amount contingent upon Niland Sanitary District completing of a QA/QC Program within one year. Mr. Gruenberg informed the Board that he had invited Mr. Bill Ray, Quality Assurance Program Manager at the SWRCB, to visit Niland Sanitary District and report his findings on the Quality Assurance Program administered in conjunction with the ACLO. Mr. Gruenberg then asked Mr. Ray to address the Board.

Mr. Ray informed the Board that he met with Mr. John Kemp, representative for Niland Sanitary District, on three occasions, beginning in December 2000. Mr. Ray performed inspections of Niland Sanitary District and assisted with the development of its Quality Assurance Program. Mr. Ray and Mr. Kemp worked together on updating the Quality Assurance document in light of requirements of the Regional Board.

Mr. Kemp submitted a QA/QC document to the Board for review. He expressed uncertainty about the Regional Board's criteria for the document. He added that he attempted to incorporate Mr. Ray's suggestions in the final document.

Mr. Ray informed the Board that he had not yet reviewed the final QA/QC document to determine its adequacy. Regional Board staff also had not yet reviewed the document.

MOTION: Dr. Baxley moved, Mr. Lesicka seconded, and motion carried unanimously that Item 7 be tabled until the November 14, 2001 Board Meeting, by which time Niland Sanitary District and Mr. Ray are directed to submit a joint report regarding compliance with ACLC No. 00-084.

A roll call resulted as follows:

Ayes: Dr. Baxley, Mr. Johnson, Mr. Lesicka, Mr. Smith, Ms. Soulliere and Ms. Wright.
Nays: None

8. Reportable Violations with the California Water Code

Mr. Igbiniedion reported that enforcement policy is currently under revision. A draft of the revised policy should be available by the end of Fall 2001.

9. Update on State Board Activities

Mr. Silva was unable to attend the meeting. Therefore, no report was given.

10. Regional Board Executive Officer's Report

Mr. Gruenberg reported that City of Calexico representatives recently visited the Regional Board office regarding a proposal to put New River flow underground within the City limits. The city representatives asked what permits the City could expect from the Regional Board for this project. Mr. Gruenberg informed them that the City would need a 401 Certification Permit, however, the first major step would be meeting CEQA requirements. Mr. Gruenberg stated that, in his opinion, this project would cause minimal impacts to water quality. He added that the City of Calexico also expressed its interest in placing a trash rack upstream near the International Boundary, which Mr. Gruenberg vigorously supports.

Mr. Gruenberg stated that he was in Mexicali on a Binational Tour during the last week of August 2001. The south collector, one of the main trunk lines, has collapsed and will take at least three weeks to repair. Also, the Mexicali II Treatment Plant is not online, meaning that two-thirds of all raw sewage in Mexicali is going into the River untreated.

Mr. Gruenberg discussed development of a new proposed power plant to the west of Mexicali. Construction has begun on a plant that will treat raw sewage that will then be used for cooling purposes. He added that a negative impact on the United States from this will be the loss of approximately 10-15 ft³/second of water flowing into the Salton Sea.

11. Regional Board Staff Reports

Mr. Falkowski gave a report regarding power windmills within Region 7. He stated that the Regional Board has undertaken an investigation of Wind Energy Conversion Systems (WECS). The investigation began due to complaints, made by residents in the area, of fluid leaking from towers. The current tower maintenance system is inadequate. Staff is working with the Bureau of Land Management, the County of Riverside, owners and operators, to address this issue.

Mr. Falkowski also reported that WDRs have been drafted by Regional Board staff for the Ocotillo Energy Plant and the Blythe Energy Project, however, consideration for adoption by the Board has been postponed due to CEQA and air quality issues pending before the California Energy Commission.

Mr. Wylie reported on the Federal Clean Water Act 319(h) Grants. A \$116,000 319(h) grant fund has been set aside for the Imperial County Farm Bureau's public outreach project titled "Imperial Valley Drain Water Improvement Program". This project should contribute to successfully implementing TMDLs to remove silt from the Alamo River and New River. Mr. Wylie also reported that the Regional Board staff also recommended for funding a New River public television documentary project, but it is uncertain whether it will receive funding.

Ms. Vasquez gave a brief update on arrangements for the upcoming WQCC Meeting, which will be held at the Doral Resort in Cathedral City on November 1-2, 2001.

12. Board Member Comments

Dr. Baxley asked Mr. Lesicka the status of the New River wetland project. Mr. Lesicka replied that overall the project was going very well.

Ms. Wright asked Mr. Gruenberg how much water the Mexicali power plant proposal would take away from the Salton Sea. Mr. Gruenberg answered that it would take approximately one half of one percent of water from the sea. Ms. Wright asked whether Regional Board staff would be involved in regulation of Niland Sanitary District. Mr. Gruenberg answered in the affirmative.

13. Regional Board Chair's Report

Mr. Smith did not give a report.

Adjournment

The meeting adjourned at 11:25.m.